



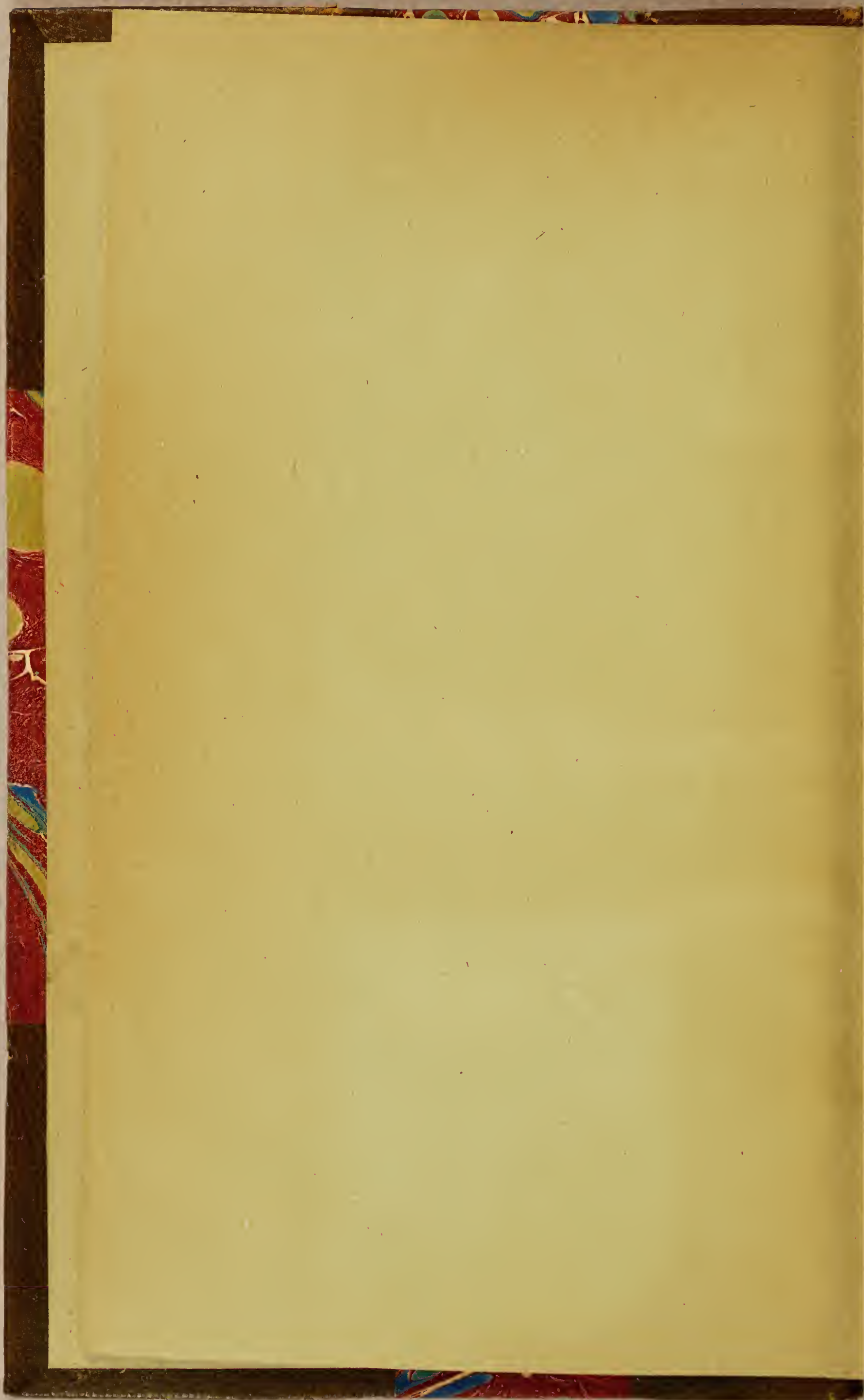
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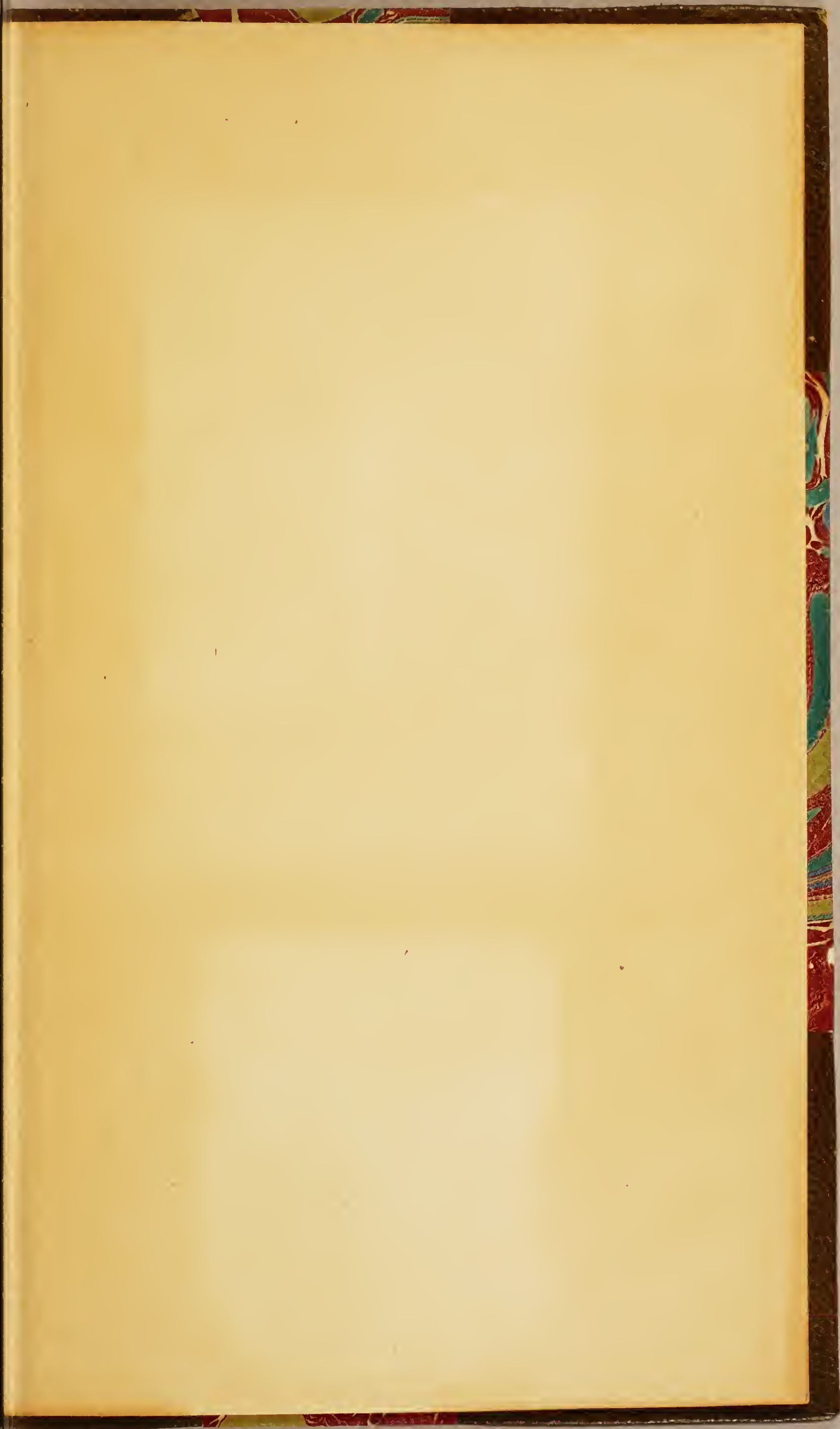
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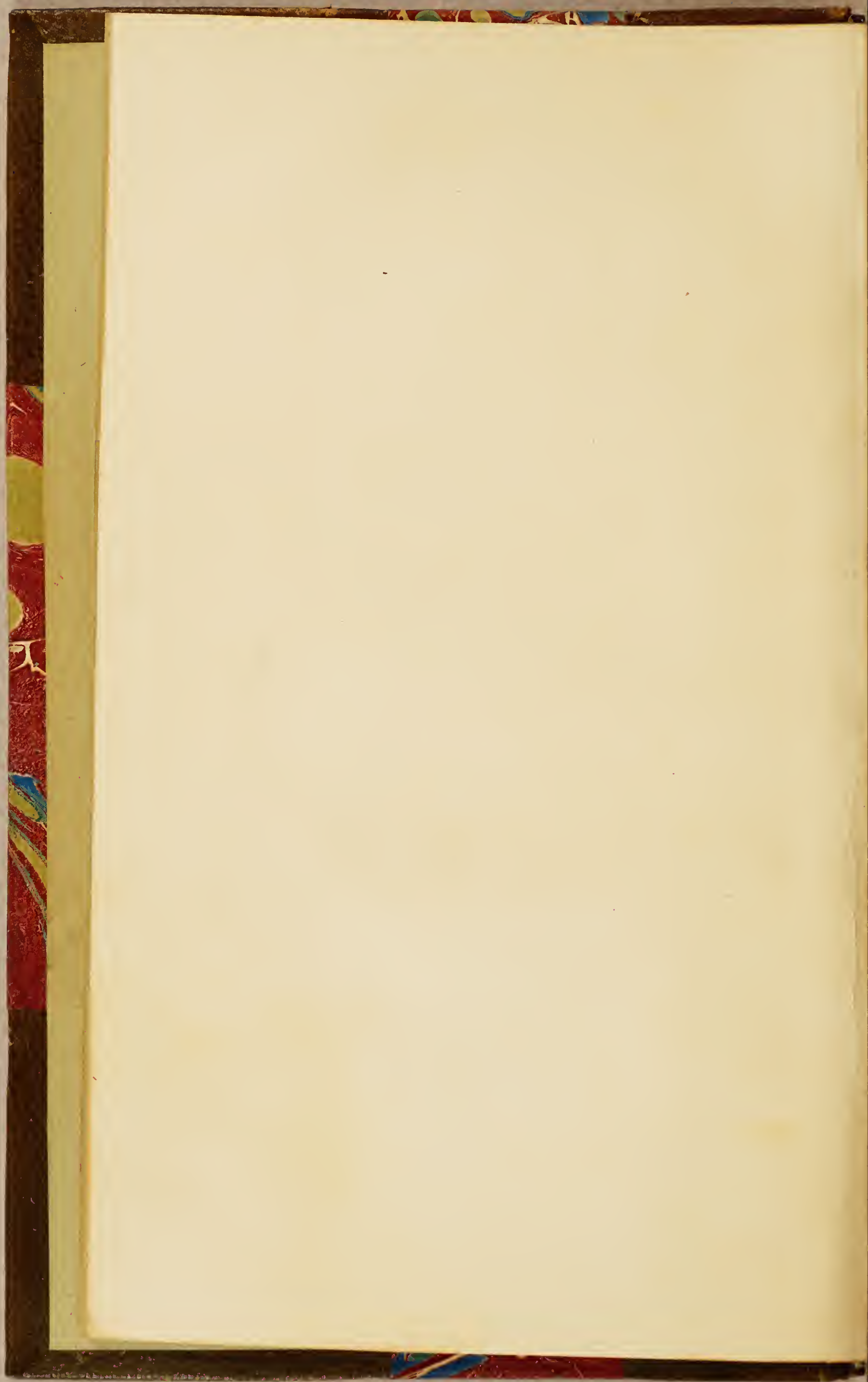
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ANDREW MARVELL's

S E C O N D

A D D R E S S

T O T H E

INHABITANTS of PHILADELPHIA.

“ Public disgusting Acts are seldom practised by the AMBITIOUS at the
“ beginning of their designs ; such conduct *silences* and *discourages* the
“ WEAK, and the WICKED, who would otherwise have been their
“ advocates or accomplices. It is of great consequence, to allow those
“ who, upon any account, are inclined to favour them, something *spe-*
“ cious to say in their defence, that their power may be fully established.”

The celebrated Farmer's Letters.

PHILADELPHIA, Printed ANNO 1773.

RPJCB

G E N T L E M E N,

F R I E N D S,

A N D

F E L L O W - C I T I Z E N S.

HA V I N G observed with pleasure, that the several pieces laid before the public, under the signature of a Philadelphian, and my former address to my Fellow-Citizens, have excited their attention to the subject of those papers, and from the intrepid and legal, yet decent opposition given by many worthy inhabitants to the attempt of the corporation, by removing the stones provided to erect shambles in High-Street, and the approbation which has generally been manifested by the citizens to the removal of those incumbrances, I flatter myself, that the state of facts, with the observations thereon, which have been laid before you, have removed every scruple which you had in your minds with respect to the right of the corporation, to occupy the streets with any kind of buildings, and convinced you that their motives are purely lucrative, and for the purpose of raising a revenue out of the inhabitants of this city, contrary to the very spirit of our most valuable constitution: And as there have been
some

some pains taken to misrepresent the actions of those of my fellow-citizens, who have now dared to step forth and stem the torrent of corporation incroachments, at the risk of their personal liberty and part of their fortunes, I shall therefore give a brief detail of their proceedings in opposing the corporation from the beginning, till the removal of the stones they provided to build with, that every prejudice which might arise against them, from such misrepresentations, may be obviated and removed.

VERY early after the intention of the corporation to build shambles, was made known, the principal inhabitants of the neighbourhood waited on the mayor of the city, with a remonstrance, signed by divers inhabitants, to the following effect, *viz.*

To the Mayor, Recorder, &c. of Philadelphia.

“ The REMONSTRANCE of divers Inhabitants
of the said City,

“ Respectfully sheweth,

“ THAT the Mayor being applied to,
“ was pleased to give information,
“ that a committee of assembly acquainted
“ your board, that the house resolved, the
“ want of a suitable place to hold a market,
“ is a public grievance, and had recom-
“ mended the same to your consideration,
“ and

“ and in consequence thereof you had agreed
 “ to erect stalls for a market in the middle of
 “ High-Street, between Third and Fourth-
 “ Streets.”

“ WE were greatly concerned upon hear-
 ‘ ing your determination,—conceiving that
 ‘ all the streets of the city were public high-
 ‘ ways, and should for ever continue as they
 ‘ were laid out and regulated: And as High-
 ‘ Street on account of it’s breadth and most
 ‘ direct passage from the Westward into the
 ‘ city, induced some of us the purchasers of
 ‘ lots bounded thereon, to give an extraordi-
 ‘ nary price, proportioned to the advantages
 ‘ of situation, reasonably expecting that it
 ‘ would remain open, and free from incroach-
 ‘ ments: That part of the said High-Street
 ‘ being already incumbered by the butchers
 ‘ shambles, the many advantages of a com-
 ‘ modious street are greatly obstructed, and
 ‘ the continuation of shambles Westward will
 ‘ abridge many of us of the liberties we now
 ‘ have, and apprehend we are legally entitled
 ‘ to.’

‘ AND altho’ we are sensible that in some
 ‘ cases, particular interests give way to public
 ‘ benefits, as that, in London the govern-
 ‘ ment there, upon application made, remove
 ‘ long established dwellings (making satisfac-
 ‘ tion for the damage) in order to widen and
 ‘ straiten streets for the great advantages of
 ‘ health, passage, light and air. Yet as our
 city

‘ city is now remarkable for the regularity of
 ‘ it’s plan and breadth of some of the streets,
 ‘ we apprehend the *reducing that breadth* and
 ‘ depriving the inhabitants of the advanta-
 ‘ ges they enjoy, will overbalance all the be-
 ‘ nefits now intended, and create a *greater*
 ‘ *grievance* than they remove. We do there-
 ‘ fore earnestly request that you will fully
 ‘ consider the many *inconveniencies* that will
 ‘ accrue from the incumbering the streets of the
 ‘ city, and decline your present intention of
 ‘ erecting shambles therein. In hopes that
 ‘ the mayor and commonalty of the city of
 ‘ Philadelphia, *influenced by motives of right*
 ‘ *and impartial justice*, will take further time
 ‘ to consider of this matter, and appoint some
 ‘ more suitable place to hold a market, and
 ‘ thereby *preserve inviolably*, the rights and
 ‘ liberties of the citizens.’

We are with much respect,
 your real friends.

IN this remonstrance the inhabitants have
 asserted, not only the injury which their own
 private estates would sustain, if the shambles
 were built in High-Street, but the rights of
 the people in general, and couch’d in terms
 the least offensive possible, as they were desi-
 rous of maintaining a friendly intercourse
 with the corporation, and peace and tran-
 quillity in the city: Yet so little regard was
 paid to the remonstrance, by the corporati-
 on,

on, that they resolved to go on with the building, in the most precipitate manner. Workmen were employed, and materials were collecting for the purpose: This was the occasion of renewed concern to some of those inhabitants under whose eye it was more immediately transacted; and living in the neighbourhood of the mayor, they had frequent opportunities of conversing with him, at which times the substance of the remonstrance was frequently recommended to his notice: And as the FATHER of the city, and GUARDIAN of the rights and privileges of the citizens, he was solicited to interest himself on their behalf. Moreover it was proposed to him, to defer the buildings until the next meeting of our General Assembly, when application would be made to them, by the signers of the remonstrance, for to provide a suitable place to hold a market, and that they had hopes to succeed in their application, and in the mean time to open a subscription, and contribute generously to accomplish that design. Notwithstanding this request, the most equitable and reasonable that could have been made or suggested, yet it was rejected *with equal obstinacy as the former*, and they were informed that the corporation were determined to erect shambles in the said street.

FINDING that any application to the corporation would be ineffectual; after discussing

sing the matter in a cool and dispassionate manner, and considering what a flagrant invasion of our liberties, such an attempt was, and how pertinacious the corporation were of the *power* to occupy the streets to raise a *revenue* out of the people, it animated them with a resolution to persevere in giving it an opposition, so far as was consistent with the laws of their country, the rights of Englishmen, and the peace and security of their fellow-citizens; and lest they should have formed an erroneous opinion respecting the powers of the corporation, and the rights of the citizens, they concluded to take the advice of several of the most eminent council in law, in the city, who were disinterested, and to govern themselves accordingly; agreeable thereto, they have had frequent conferences with them, and I believe no pains has been spared to sift the question thoroughly, the result of which has fully satisfied the people, that an opposition is not only legal and justifiable, but also their duty; for the lawyers have assured them that the corporation have no right, founded either on charter, laws, or custom, to support them in building of shambles in any street of this city; but on the contrary, have pointed out some laws which limit and restrain their power in this and several other instances: This is the purport of their opinion, it being too long to insert the whole.

NOTWITHSTANDING

NOTWITHSTANDING the unsuccessful reception their former applications to the mayor and corporation have met with ; yet to guard against the smallest occasion of censure, and unwilling to disturb the tranquillity of the citizens unnecessarily, by adopting any measures which in their consequences might afford the most remote occasion to any tumults, or large gatherings of the people : Therefore they waited on the mayor, with the following amicable petition, in hopes, that by reconsidering the matter, the corporation might be influenced by the same laudable motives to promote peace and harmony in the city, and condescend to yield to the proposals contained therein, and if in this instance they should be rejected, they concluded that if the obstinacy of the corporation should make it necessary for the people to adopt forcible measures, the consequences must lay upon them,—and to their consciences,—their qualifications, and their fellow-citizens, they must stand accountable.—Here follows the petition.

To the MAYOR and COMMONALTY, of the
City of Philadelphia,

INFORMATION being given us that the mayor and commonalty have agreed to build stalls or shambles in High-Street, between Third and Fourth Streets, and observing some provision already made for carrying
the

the same into execution, we the subscribers, on behalf of ourselves and our fellow-citizens, think necessary to inform the mayor and commonalty, that we have *consulted able council at law*, respecting the measure, who have given to us their opinion that the mayor and commonalty have no legal right to erect stalls in any of the streets of this city. Therefore we cannot consent thereto, and being your fellow-citizens, *desirous of promoting and maintaining harmony and concord with every branch of the community*, do request the mayor and commonalty will agree to have the case tried at law, by admitting an *amicable suit* to be brought for that purpose, and that the building of the stalls may be deferred until the suit be determined.

We are, on behalf of ourselves
and our fellow-citizens,
your friends.

Philadelphia, 31 May, 1773.

CONTRARY to the expectations of the petitioners, when they waited on the mayor he gave them no reason to expect he would call a meeting of the corporation to lay the petition before them, declaring that he could not do it consistent with his duty; and at the same time gave them to understand that the matter of the petition had been fully considered at a former meeting of the corporation,
and

and they had come to a result which could not be altered. On which they informed the mayor, that their present request had not been made before : Thus they were in a situation peculiarly hard, their rights were to be infringed by a body to whom they had no access by petition, to have the propriety and justice of their claims examined into. One of the greatest grievances, or insults offered to a free people is, for even the king upon his throne, to shut up the avenues to his royal presence by petition, contrary to Magna Charta, and inconsistent with an equal distribution of justice, but for the corporation to exclude the complaints of their fellow-citizens by petition, must discover (if I may be allowed the expression) a degree of arrogance unbecoming their rank, *the illegality of their proceedings and badness of their cause*. Here my friends you will be apt to conclude, that all treaty was at an end, and that after such reiterated denials, an active opposition was immediately commenced ; but the petitioners yet unwilling to involve themselves and their fellow-citizens in a contention with the corporation, waited the return of the Recorder from York-Town, being in hopes that their petition would meet a more favourable reception from him, accordingly after his return to the city, some of them presented the petition to him, and a meeting of the corporation coming on in two or three days after, it was
laid

laid before them; at the board it met a similar fate with the remonstrance: The petition was not complied with, and they resolved to prosecute the building. Thus all the endeavours of the petitioners to have the dispute brought to an amicable and legal issue, proved abortive; again they had recourse to their attornies for advice how to proceed in the opposition, with the least danger of producing any disturbance; their advice has been literally pursued, with a firm resolution to offend none of the inhabitants, or to condemn any legal authority, or insult the persons of the magistrates while in the discharge of their duty.

IN this relation of facts, I believe the mayor and recorder will allow, that I have manifested a strict regard to candour and truth; hence you will be able to judge of the propriety of the petitioners proceedings; and must acknowledge that thro' the whole of this disagreeable opposition, they have steadily pursued the same plan, not to disturb *the tranquillity of the city* or offend any member of the corporation, as they hope to cultivate the same harmony with them in future, which has subsisted for several years past. Notwithstanding, so long as the corporation persist in their attempt to carry on the building, solely with a view to raise a tax on the inhabitants, and thereby increase a fund which will in time become dangerous to our constitution, I
have

have no doubt so long will a firm, resolute, and intrepid opposition be given to them. But should the corporation build the market by act of General Assembly to be provided for that purpose, and agree to be accountable to the public for the revenues arising from all the stalls, and appropriate them to some public use, then should all resistance cease;

Our swords shall be beat into plough shares, and our spears into pruning hooks.——

I SHALL conclude this address to my fellow-citizens with a few COOL THOUGHTS upon the present design of the corporation to erect shambles in the street of this city; that they have no legal right so to do, I believe will be almost universally allowed except by a few of the “WEAK” and inconsiderate, or the INTERESTED, and many of them, finding the badness of the cause which they had, perhaps, inconsiderately adopted, are daily brought over to the side of the opposition, in which almost every virtuous good man in the city seems to be interested; and I am credibly informed, his honour the Governor, (whose administration has been peculiarly distinguished for justice, lenity, and public spirit) does not approve the measure. How hady then must the corporation be, after such repeated instances of the disapprobation of the inhabitants, to persist in the attempt, especially,
as

as they cannot be ignorant of the insufficiency of their right. Their hopes of being able to carry it through, must depend upon an expectation of alarming the fears of numbers of the citizens, by working upon their passions to influence their judgment; for which purpose many reports have been propagated, like a tub thrown out to a whale, to divert them from the principal object.—Reports which, when coolly examined into, will appear as ridiculous and futile, as their attempt to build the market must prove. One of which, that seems to operate most with many people is, that if they have no right to build the additional market, and are prevented from doing it, *all* the rest shall come down, and a market-house shall be built at the center square, which was allotted for that purpose, and the market held there.—How credulous must those be who can swallow such a bait! Have you ever discovered in the corporation such a disregard to money, as to make you believe they would throw down those shambles already erected, from which they have an income of £. 396 yearly? when this event takes place, I shall alter my political creed with respect to that body;—but let us allow, that it be possible for the leopard to change his spots, and the Ethiopian his skin, and that corporation, from their present sedulous attempt to encrease their yearly income, should suddenly change their principles, re-
nounce

nounce their ambitious and avaritious schemes, and pull down the present market; yet they have not, neither by the charter nor *any* laws, any authority to prevent the people from selling the produce of the country in any part of the city, or of the province: Any man may, if he thinks proper, let out his house or yard, to any farmer or butcher, to vend their meat or produce in, this privilege is confirmed to us previous to the time that the mayor and commonalty were incorporated, and had it been in the power of the corporation, they would have hindered the country people long ago from holding a market, and of selling their produce in Second-street, about Race-street corner; this matter has been frequently considered at their board, but they are sensible they have no power to restrict it: Since this is the case, let the corporation build their market at the center square, and they may, if they please, by charter, appoint two days in the week for holding a market there, but no person would occupy it,——unless some dependant or interested people:—However, it can hardly be believed that our assembly would refuse to make provision of a suitable and convenient place to hold a public market, where the country people, as well as the butchers might be accommodated; but least an application to the assembly for that purpose should not succeed, a subscription paper is preparing for to purchase the lot
where

where the goal and workhouse now stand, for building a market-house on, and numbers have already agreed to subscribe largely thereto.

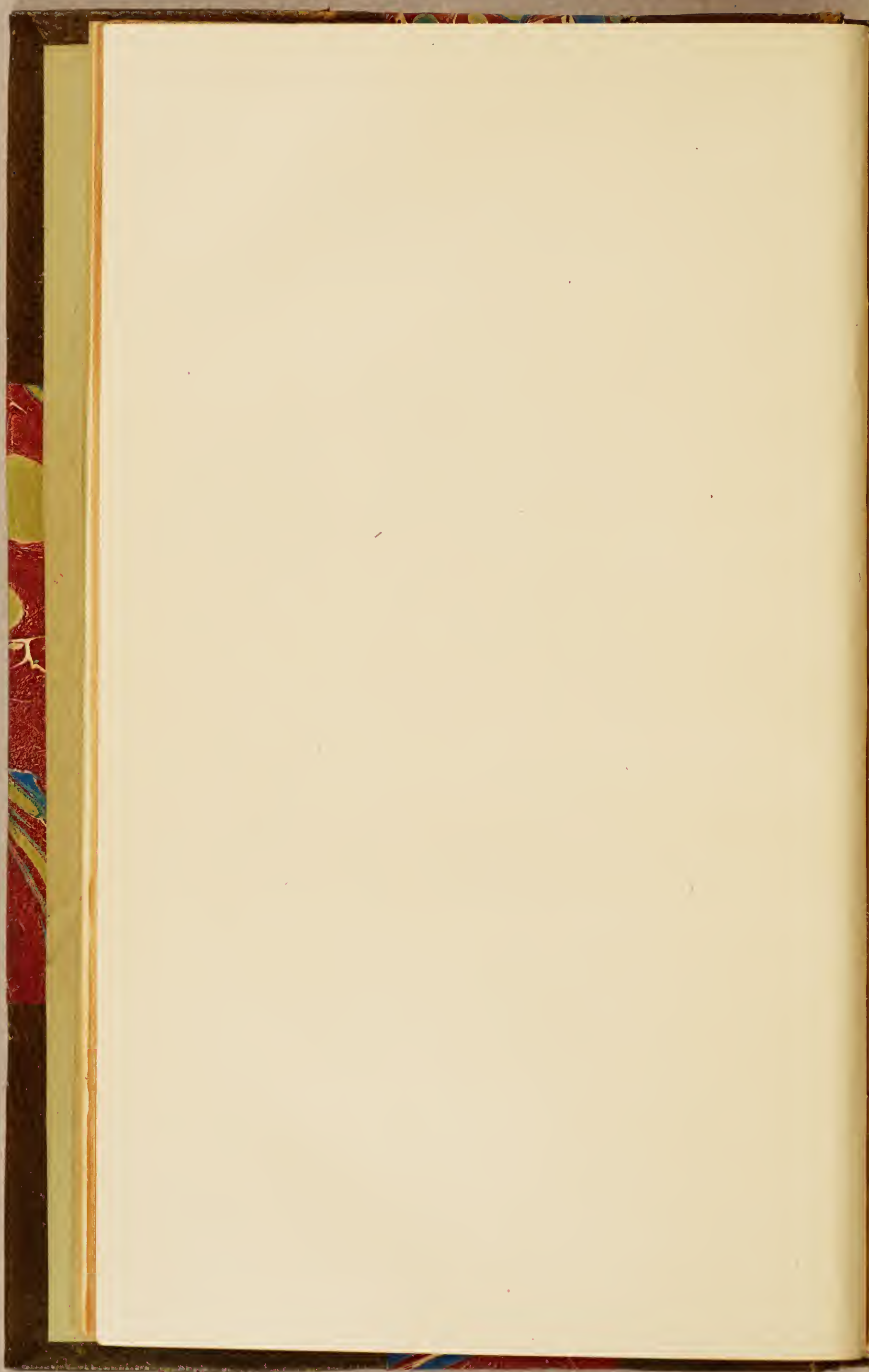
I HAVE no doubt but my fellow-citizens, on coolly considering what has been advanced will see the necessity, and approve the conduct of those of the inhabitants who have been active in the opposition, and when Pennsylvanians are once convinced, there can be no duplicity in their conduct, a fervile slavish spirit is not their portion; therefore I trust the opponents cannot fail to have your countenance and assistance.

I am,

Your friend and humble servant,

ANDREW MARVELL.

PHILADELPHIA, }
June 18, 1773. }



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